

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: TRICIA ANN ROUTT : Case No: 23-52781

: CHAPTER 13

: Judge Mina Nami Khorrami

TRUSTEE'S MOTION TO DISMISS

Now comes Edward A. Bailey, standing Chapter 13 Trustee herein, and moves this Court to dismiss this case pursuant to 11 U.S.C. §§1307(c), 521(b) and/or 109(h) for the reasons set forth below:

Debtor has failed to tender the full statutory first plan payment and the 341 Meeting could not be held as Debtor failed to serve the plan on all creditors and parties in interest.

Wherefore, the Trustee requests that an order be entered dismissing this case, granting the Trustee leave to file his Final Report, and discharging the Trustee from his trust.

Respectfully submitted,

/s/ Edward A. Bailey

Edward A. Bailey (0068073)
Chapter 13 Trustee
550 Polaris Parkway, Suite 500
Westerville, OH 43082
Tel: (614)-436-6700
Fax: (614)-436-0190
Email: trustee@ch13.org

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Debtor(s) : Judge Mina Nami Khorrami

NOTICE OF MOTION TO DISMISS

The Chapter 13 Trustee has filed papers with the court to dismiss this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion**, you must file with the court a response explaining your position by mailing your response by ordinary U.S. Mail to Clerk, U.S. Bankruptcy Court, 170 N. High Street, Columbus, OH 43215 OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or 2) ordinary U.S. Mail to:

Edward A. Bailey
550 Polaris Parkway, Suite 500
Westerville, OH 43082

United States Trustee
170 N. High Street, #200
Columbus, OH 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

If a response is filed within the time provided above, then a hearing will be held on October 26, 2023, at 1:00 pm, in Courtroom A of the U.S. Bankruptcy Court, 170 N. High Street, Columbus, OH 43215. If no response is filed within the time provided, then no hearing will be held, and the Court may enter an order dismissing this case.

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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2023, a copy of the foregoing Motion to Dismiss was served on the following registered ECF participants electronically through the court's ECF system at the email address registered with the court:

U.S. Trustee
Edward A. Bailey
Pro Se

and on the following by **ordinary U.S. mail** address to:

Tricia Ann Routt
10639 County Road 26
West Mansfield, OH 43358

/s/Edward A. Bailey
Edward A. Bailey
Chapter 13 Trustee